IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION APPLICATION NO. 175 OF 2006

M/s.Jayant Construction Co..... ... Applicant.

Versus

Union of India & Another. .... Respondents.

Mr.V.R.Hukmani for the Applicant.
Mr. Suresh Kumar for the Respondents.

CORAM : SWATANTER KUMAR, C.J.

DATED : 22ND JUNE, 2007.

P.C.:

Learned Counsel appearing for the applicant submits that in view of the judgment of this Court in **Arbitration Application No. 238 of 2005 (M/s.Narmada Macadam Pvt. Ltd. v/s Union of India)** dated 8th September, 2006, the applicant will move the respondent Authority for appropriate reference by reducing their claim to 20% and that the amount of penalty may also be referred to arbitration. If, such a request is made, the respondents to consider the same in accordance with law. Learned Counsel for the respondent has no objection.

2. Consequently, the petition is disposed of in the

above terms.

3. However, parties are left to bear their own costs.

Sd/-

CHIEF JUSTICE